Honorable Benjamin H. Settle 1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF WASHINGTON 8 AT TACOMA 9 NORTHWEST PIPE COMPANY, a Case No.: 21-05652 BHS Washington corporation, 10 STIPULATED MOTION AND [PROPOSED] ORDER DISMISSING ALL Plaintiff, 11 **CLAIMS WITH PREJUDICE** v. 12 THE PHOENIX INSURANCE COMPANY, a 13 foreign insurer authorized by the Washington insurance commissioner, TRAVELERS PROPERTY CASUALTY COMPANY OF 14 AMERICA, a foreign insurer authorized by the 15 Washington insurance commissioner, and ALLIED WORLD NATIONAL ASSURANCE COMPANY, a foreign insurer 16 authorized by the Washington insurance 17 commissioner, 18 Defendants. 19 I. STIPULATED MOTION 20 Pursuant to Fed. R. Civ. P. 41(a)(2), this Stipulated Motion and [Proposed] Order is 21 22 filed on behalf of Plaintiff Northwest Pipe Company and Defendants The Phoenix Insurance Company, Travelers Property Casualty Company of America, and Allied World National 23 Assurance Company (collectively, the "Parties"). It is hereby stipulated and agreed to by the 24 Parties, through their undersigned attorneys of record, that this action, including all claims 25

that were or could have been asserted by any of the Parties with respect to the subject matter

STIPULATED MOTION AND PROPOSED ORDER DISMISSING ALL CLAIMS WITH PREJUDICE - 1 CASE NO.: 21-5652

BUCHALTER 1420 FIFTH AVENUE, SUITE 3100 SEATTLE, WA 98101-1337 TELEPHONE: 206.319.7052

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of this action, shall be dismissed with prejudice without an award of attorney fees or costs to 1 any of the Parties herein. 2 Respectfully submitted this day of October, 2023. 3 4 5 **BUCHALTER PC** LETHER LAW GROUP 6 /s/Bradley Hoff /s/Thomas Lether Bradley Hoff, WSBA #23974 Thomas Lether, WSBA #18089 7 1420 Fifth Avenue, Suite 3100 Geraldine A. T. Enrico, WSBA #54917 Seattle, WA 98101-1337 1848 Westlake Avenue N., Suite 100 8 T: 206.319.7052 Seattle, WA 98109 9 E: bhoff@buchalter.com T: 206.467.5444 F: 206.467.5544 Attorneys for Plaintiff Northwest Pipe E: tlether@letherlaw.com 10 Company E: genrico@letherlaw.com Attorneys for Defendants The Phoenix 11 Insurance Company and Travelers Property Casualty Company of America 12 13 14 NICOLAIDES FINK THORPE FORSBERG UMLAUF, P.S. MICHAELIDES SULLIVAN LLP 15 <u>/s/Stephanie Andersen</u> <u>/s/Ian A. Cooper</u> 16 Stephanie Andersen, WSBA #22250 Ian A. Cooper, Bar #6292599 Sally A. Clements, WSBA #54502 Alida Pecanin, Bar #6330275 17 10 South Wacker Drive, Suite 2100 901 Fifth Avenue, Suite 1400 18 Seattle, WA 98164 Chicago, IL 60606 T: 312.585.1400 F: 312.585.1401 T: 206.689.8500 F: 206.689.8501 19 E: SAndersen@FoUm.law E: icooper@nicolaidesllp.com E: SClements@FoUm.law E: apecanin@nicolaidesllp.com 20 Attorneys for Defendant Allied World Attorneys for Defendant Allied World National Assurance Company National Assurance Company 21 Admitted Pro Hac Vice 22 23 24 25 26

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1	II. [PROPOSED] ORDER
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3	Pursuant to the parties' stipulation, IT IS SO ORDERED:
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6	Benjamin H. Settle United States District Court Judge
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8	Jointly Presented by:
9	BUCHALTER PC
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11	/s/Bradley Hoff Bradley Hoff, WSBA #23974
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14	Admitted Pro Hac Vice
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